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NY HIFCA Response to Proposed SAR Changes

The NY HIFCA Director and other NY HIFCA managers have met and put together a group response to the recent proposed SAR changes. The following are suggested changes/additions to FinCEN's proposals:

· We feel that there should be both a point of contact (name, phone number, email) provided, **and** a name, phone number and email for the preparer. Including an email address is an important addition which serves several goals. It helps verify when a law enforcement official makes a request via email, that the person requesting information from the bank is who he says he is. It eliminates phone tag delays, and it provides a quick and easy medium for transmitting additional requests and documents.

· We feel that financial institutions should be required in the narrative to identify bank officials/employees who have questioned the subject. These conversations between bank employee and subject often verify the bank's suspicions and are the source of valuable information about the suspect activity. Investigators will want to speak to this person.

· We feel that no internal case or contact number is needed. In the extensive experience of NY HIFCA employees, it has been found that the bank can easily locate the SAR in question using the suspect's name, SSN or account number. Asking for a unique report number only adds time and other burdens to the report filing process.

· We feel that it is an excellent idea to eliminate disclosure statements or other template-like introductions from the SAR narrative section. If the banks put up a significant fight over this issue, we should at least insist that the disclaimer be placed at the end of the narrative. We put our BSA warnings at the bottom of the page, and we view them as highly important.